

REMARKS

Applicant has carefully reviewed the Official Action dated November 24, 2009 for the above identified patent application.

Claims 1 – 8 and 13 – 18 are pending in this application.

At page 2 of the Official Action, claims 1 – 8 and 13 – 18 have been rejected under 35 U.S.C. Section 112, first paragraph, as failing to comply with the written description requirement.

At page 3 of the Official Action, claims 1 – 8 and 13 – 18 have been rejected under 35 U.S.C. Section 112, second paragraph, as being indefinite.

Independent claim 1 has been revised to more clearly define the nature of the invention, and to overcome the formal grounds of rejection raised at pages 2 and 3 of the Official Action. More specifically, independent claim 1 now expressly recites a method in which opposed edges of a metal strip are severed by edge cutters along a first pair of opposed curved lines (51, 52) as the strip moves through the production line, thereafter a first pair of corners (53, 56) is formed by controlling roll-forming units along a second pair of opposed curved lines (53, 56) to form opposed flanges (79, 80) as the strip moves through a first roll-forming section of the production line, and thereafter a second pair of corners (54, 58), between the first pair of corners is formed along a third pair of opposed curved lines (54, 58) to define opposed sides (77, 78) as the strip moves through a second roll-forming section of the production line. The curvatures of the first, second and third pairs of opposed curved lines result in a varying cross section of the profile formed from the strip along the length thereof.

Applicant respectfully submits that the form of independent claim 1, as amended herein, overcomes the formal grounds of rejection raised in the Official Action under both 35 U.S.C. Section 112, first and second paragraphs.

The amendments to independent claim 1 are supported by the original disclosure of this patent application. As noted at page 2 of the Brief Description of the Drawings, Figure 8 of the original drawings illustrates the formed strip, illustrated by Figures 6 and 7 of the drawing, in an extended (flattened) configuration. Figures 6-8 of the drawings, and the description thereof at page 3 of the original Specification, clearly illustrate that the curved severed edges of the strip are designated by the opposed curved lines 51, 52; that a first pair of corners 53, 56 (Figures 6-7) is formed by controlling the roll-forming units along the opposed curved lines 53, 56 (Figure 8) to form opposed flanges 79, 80 (Figures 6-8); and that a second pair of opposed corners 54, 58 (Figures 6-7) between the first pair of opposed corners (Figure 8) is formed by controlling the roll forming units along a second pair of curved lines 54, 58 (Figure 8) to form opposed side walls 77, 78 (Figures 6-7). The base of the formed profile is designated by reference numeral 76 (Figures 6-8). The curvature of the first pair of opposed curved lines 53, 56 (Figure 8) and the second opposed pair of curved lines 54, 58 (Figure 8) result in variation of the cross section of the formed profile, as illustrated by Figures 6 and 7, which are sections taken along directional lines 6 and 7 of Figure 8. The curvatures of the opposed pairs of curved lines result in variations in the length of the flanges 79, 80, and in the height of the side walls 77, 78, along the length of the profile formed from the strip, as shown by Figures 6 – 7.

Applicant respectfully submits that original drawing Figures 6-8 and the description of these drawing Figures in the original Specification (as, for example, at page 3, lines 4 – 11), support independent claim 1, as amended herein.

The process for forming the profile from the metal strip is described at page 3, line 30 through page 4, line 18 of the original Specification.

At page 4 of the Official Action, claims 1-3 have been rejected as being obvious over a combination of U.S. Patent Nos. 7, 107, 807 and 7, 111, 481.

At page 5, paragraph 2 of the Official Action, claims 4-8 and 13-18 have been rejected as being obvious over a combination of the two aforementioned patents, in further view of published U.S. patent application US 2004/0244453.

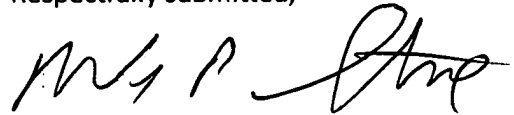
Claim 1 is the only independent pending in the present patent application. As noted above, this claim has been rejected as being obvious over a combination of the Ingvarsson et al and Green et al patents. Applicant respectfully submits that neither of the two prior art references applied to reject independent claim 1 teach or suggest the method defined by independent claim 1, as amended herein, and in particular, the steps of forming two pairs of corners sequentially along two opposed pairs of curved lines for varying the cross section of the formed profile as a result of variations in the length of the formed opposed flanges and heights of the formed opposed side walls as a result of the curvatures of the first and second pairs of opposed curved lines.

Applicant respectfully submits that independent claim 1, when all positively recited features of the claimed method are considered in the patentability determination, is not taught or suggested by either of the two prior art references applied to reject the claim, or a combination thereof.

Applicant submits that independent claim 1 is in condition for allowance. The remaining pending dependent claims, which depend directly or indirectly from independent claim 1 and therefore include all features of that claim, are allowable, at least for the same reasons as parent independent claim 1.

Applicant respectfully submits that all pending claims are in condition for allowance, and favorable action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M P Stone', written in a cursive style.

Mark P. Stone
Registration No. 27, 954
Attorney for Applicant
50 Broadway
Hawthorne, NY 10532
914-769-1106